P.7. 181-92

G. R. S. IX-5]

Previous references.

L.R. 2-87.

1891-92

192 .

(L.R

Later references.

File No ~~[illegible]~~

Serial Nos. 1-9

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1-9

M ~~Part~~ B for ~~February~~ March 1894

SUBJECT.

Appeal of Basavegowda, of Belle Village regarding his restoration to the Patel office of the said Village —

The Deputy Commissioner, Hassan District

No. 14881 / P.7. 181-92 D. 4/8. 3. 1894. LR 158-91-

Informing him to settle the appeal of Basave-gowda for his restoration to the patel office of Belle Village —

WD 2233—GPB—20,000—11-6-20

Countermarked

MK

[illegible]

Memo

Petition No. - 696 of 1892

Petitioner. Basave'gowda of Balloor.

Prior to 1881 Basave'gowda (Petitioner) and one Malle'gowda had been jointly doing the Pateli duties of Blalloor. Disputes arose between them and Basave'gowda filed a suit (OS No. 29 of 1880-81) against Malle'gowda in the Court of the Deputy Commr Hassan District for the recovery of the said Pateli.

24·2·81 The Deputy Commr decided the suit in favor of Malle'gowda and confirmed the office to him only.

Basave'gowda then preferred an appeal to Government against the above decision.

8-12-81 The Government after calling for a report from the Deputy Commr passed the following order:-

"The Deputy Commr reports that both the appellant (Basave'gowda) and Malle'gowda the present patel have equal claims to the office of Patel in the village; that in regard to their status and other circumstances they are on the same footing of equality but that the village being small both in regard to population and assess-ment the necessity for two patels does not exist and that the appointment of one of them as honorary patel might give rise to disputes in the village.

The Dewan concurring in the above view confirms the existing arrangements."

Since then Malle'gowda alone had been doing the pateli duties until his death which took place in April 1890. After the death of Malle' gowda, Basave'gowda the petitioner requested the Taluk and the District authorities that he might be appointed Patel. Chennabasave'gowda son of Malle Gowd also requested that he might be appointed Patel.

In June 1890 the Amildar of Belur reported to the Deputy Commr: that the Barabaluti Register prepared in 1864 mentioned first the name of Basave'gowda under the heads "huckdar" and "person actually doing the duties"

that the said Register
mentioned Malle'gowda's
name next under the
heads above referred to,
that on the death of Basav
gowda petitioner's father
in 1874, Basave'gowda
petitioner had been
appointed patel, that the
said petitioner had been,
as borne out by the records,
doing the duties until
the year 1880 and that
the pateli duties might
be divided between the
petitioner and Malle'
gowda's sons.

On the 3rd July 1891
the Deputy Commr ordered
that when Basave'gow
petitioner had appealed
to Government the case
had been decided against
him, that in the face
of the Government decision
nothing could be done,
and that Chennabasav
gowda son of Malle'gowda
(deceased) should be
appointed patel in lieu
of his father.

On the 20th December
1891 Basave'gowda prefer
an appeal to this office
against the above order.
He alleged that his family
alone had the "huk" to the said
pateli, that in or about
1865 Malle'gowda had
been appointed joint Patel

with the consent of his (Petr's)
father and that the Deputy
Commr. was wrong in appoint-
ing Chennabasave Gowda
son of Malle Gowda as Patel
in preference to him (Basave
Gowda).

On the 18th February
1892 this appeal was
rejected by Government
on the ground that it had
not been preferred within
the prescribed time.

Basave Gowda thereupon
presented another petition 3-6-92
to this office that owing
to illness he had been
unable to prefer the
appeal within the prescribed
time and that he should
be appointed Patel.

On the 24th June
1892 the Deputy Commr.
was requested by this
office to state whether
the petitioner was so sick
as to be unable to appeal
in time.

In reply to this, the Dy.
Commr. states that the
petitioner was sick from
September to November 26-7-92.
1891 and that he seems
to be still sick.

Admit the
appeal & call
for Ppr. —
M. S.
17/10/92

R. 20/10
Gurumurthy
20/10

[illegible]

Bch

Send for report to the Dy Commr whose orders have been issued

M No 696 of 1891-92

Appt

Vasvegowda
of Balur
Belurtaluq
Hassan Dt

Respdt
Chenna Vasave
gowda.

According to the Regr of 1864, the father of the appt, & the father of the Respdt, who were unconnected with each other were Pateils. On the ground that there should be only one Pateil for the village, Respdt was appointed sole Pateil of the village in 1880. Appt then brought a regular suit for the office, & it was dismissed & the dismissal was confirmed by Govt on appeal in 1881. The father of the Respdt died in 1890, & the appointment was conferred on Respdt in July 1891 notwithstanding that the appt claimed the office. The appeal is against this order.

The Dy Commr would be requested to dispose of the case under Govt Pro dd 3d Jany 1894 Rev No 105

26/2/94

(General Serial No. 32.)

1892. (13)

No. 2384

Name of Petitioner. Basavaygowda

Village. Bellary

Taluk. Bellary

District. Ha[illegible]

Date of Arzi. 20-12-91

Date of Receipt. 21-12-91

Date of Disposal.

No. of Enclosures. Twelve

ABSTRACT.

The hereditary title to the Pat[illegible] of the above village rests with the petitioners family. His ~~grand~~ father had been ~~a P~~ the Pat[illegible] till 1865 when, a ruling that two Patails should be appointed to the above village having been passed, one Malley gowda father of Chennabasavaygowda (the petitioners adverse party) was with the consent of the Petit[illegible] father, appointed as Co Pat[illegible]

I After the death of his father the petitioner succeeded the post and received the [illegible] of appointment on 20th February 1874, from Deputy Commiss[illegible]

II On a subse-sion the [illegible]

L R 15 ? 9 -

Stamp correct.

2 Appeal not in time -

Date of Dy Comr's Order - 3.July 91.
Date of Petn - 20.Dec 91.
Diff - 5 months 17 days.

Date of appn for Copy - 5. 8. 91.

× note - This figure showing the no: of the month is corrected -- (nine into eight).

Copy ready - 11.9.91
" delivered - 9.10.91.

Even Calculating from 5.8.91 to 9.10.91 the period is 2 months & 4 days, which deducted from 5 months & 17 days - leaves 3 months & 13 days.

3. Copy of order produced

4. Cl. (1) Rule I of the Appeal rules.

Submitted to the Council. [illegible] 10/2

192. The appeal has not been presented within the prescribed time. It is rejected

the Deputy Commr a report
the effect that there should
t be 2 Patels to one village
at the petitioner was a minor
at though he was the senior
aimant to the Patailee, yet
alloygowda was competent
nd that therefore Malloy-
owda might be appointed
atel. On this recommendation
e Deputy Commr appointed
n 1880 Malloygowda to
he Patailee. Then he appealed
this Office (but no favourable
rder was passed) Govt declined to interfere

However, about 1890, the
aid Malloy gowda died.
hen the Amildar, after a due
eference to the records, found
hat the petitioner was the
enior claimant to the Patailee,
nd also competent, submitted
the District a report to
the above effect and appointed
him as Patail pending the
eputy Commr orders. But
e Deputy Commr has
passed an order appointing
Kenabasaraiah (the peti-
oners adverse party) (vide Deputy Commr's o
No 270 d/ 3/7/91)

al[illegible]is order he begs to
[illegible] for the following
[illegible] ile unjust.

[illegible]

8

MYSORE DEWAN'S
PETITION DEPAR
RECD. No. 2384
21-12-91

[illegible] 12
Put up on 21/12/91

(14)

[illegible]
27-1-92

Appeal no: 175 of 1891-92

Enclosures returned 24/2/92

[illegible]

12

15

(17)

No. 2384

LR 158/91-2

Endorsement.

In reply to his Petition dated 20th December '91, Basave gowda of Bellur, Hassan District, is informed that the appeal has not been preferred within the prescribed time. It is therefore rejected.

2. The Encs: are herewith returned ~~is informed that~~

20/2

Mysore Dewan's Office,
Petition Department,
18/24 /2/ 1892

Drafted
as per Council
order

By Order.

22/2

Secretary.

Mysore Government Central Press Bangalore.—28-9-91—1000.

[illegible]

26.5.92 13

[illegible]

Reference
H.V.R. JB

8-3-92

C15E – 3

3-[illegible]-92

Enquire from the Dy Comr. whether the Petitioner was so sick as to be unable to prefer the appeal in time.

11/6/22

Drafted 13/6

1/8 9
No 70

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 696. dated - May 1892, received at the Dewan's Office from Baswaygauda of Balur village in the Belur Taluk, praying for Patelship of the said village.

is forwarded, together with its thirteen enclosures, to the Deputy Commissioner of the Hassan District who is requested to state, whether the Petr. was so sick as to be unable to prefer the appeal in time.

2 The Petn. should be returned

By Order,

Draft

10/6

Chief Secretary.

BANGALORE, 11th June 1892.

24/6

[illegible]

15

(21)

(General Sec. No. 30.)

1892.

OFFICE OF THE
1303.
Pet/61.

From

The Dy. Commissioner,
Hassan District.

To

The Chief Secretary to the ~~Dewan~~ Govt. of Mysore.

Dated 26 July 1892.

Despatched 3rd August 1892.

Received

Enclosures No. Petition etc. & Ver. papers.

General No. 291

No. ~~[illegible]~~

In reply to 70 Dated 24th June/92.

SUBJECT

Stating that the Petitioner Basavegowda of Belur was reported to be sick from September to November 1891 etc.—

Petn. Br. [illegible] 5/8/92

References (to be entered only in the Dewan's Office).

Petitioner's Appeal Regn. No. 2264 of 12-6-91 was rejected as out of time. (Please see particulars on the Abstract of the Petition).

In Petn. No. 626 Regd. 3.6.92 the Regr. represented that he did not appeal in time as he was sick and also as he was under the impression that the time allowed for appeal was 6 months.

The Dy. Comr. was requested to report if the Petnr. was so sick as to be unable to prefer the Appeal in time.

The Dy. Comr. states that Petnr. was sick from Sept. to November 1891 and that he seems to be still sick.

Orders solicited as to whether the Petn. may be admitted.

Submitted for orders
[illegible]

6/8/92

No. 291/Genl VN

Deputy Commissioner's Office,
Hassan District.

Dated 26th July 1892.

From,

The Dy Commissioner,
Hassan District.

To

The Chief Secretary to the
Government of Mysore
Bangalore.

Sir,

With reference to your official memo No. 70 dated 24th ultimo, forwarding a petition from Basavégowda of Bélúr and requesting to state whether the petitioner was so sick as to be unable to appeal in time, I have the honor to state that from the enquiry made by the Amildar it would appear that the petitioner was sick from September to November 1891 and

that

that he seems to be still sick.

2 The Vernacular correspondence ending with Amildar's report No 47 dated 12th Instant together with the enclosures of your memo under ref. is herewith returned.-

I have the honor to be,
Sir,
Your most obedient servant

Ag. Dy. Commissioner
Hassan District

No 8/67

18

21

[illegible]

7-7-92

7-7-92

[illegible] 471 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 1894 [illegible]

[illegible]

[illegible] 12 [illegible] 1897 [illegible]

[illegible]

[illegible]

[illegible] 1842 [illegible]

[illegible]

[illegible] 1841 [illegible]

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[illegible] 1892 [illegible] 12 [illegible]

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[illegible]
[illegible]

Pet N° 24
F. 181-92

L.R. 15x-91-

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 696 dated – 9 May/92 received at the Dewan's Office from Basavay Gowda of Balur village in the Balur Taluk, praying for the Patelship of the said village,

is forwarded, together with its thirteen enclosures, to the Deputy Commissioner Hassan District, for submission of Proceedings ~~connected with the case~~ with a report on the facts of the case & on the point taken in the appeal Petn.

2 The Petition should be returned.

By Order,

Draft
(Council order 17/10)
25/10/92
for Chief Secretary.

BANGALORE,
27 Octr 1892

Encl issued
27/10/92

28

(General Serial No. 30.) 10410. (2)

189

L.R. 158 91-7

From The Deputy Commissioner, Hassan District.

To

The Chief Secretary to the Dewan of Mysore.

Dated 13 March 1893

Despatched 14 March 1893

Received

Enclosures No. 12 file & 2 Registers (Detached) by Parcel Post.

General No. 9/11

No. [illegible]

In reply to

SUBJECT.

Submitting enclosures and a report on the petition of one Basave-gowda of Ballur in the Belur taluk calling for his claims for the patelship of the said village.

References (to be entered only in the Dewan's Office).

Petition [illegible] 15/3

26.

(22)

No $\frac{911}{5}$
Encl 1 file
& 1 register
(by Parcel Post)

Deputy Commissioner's office
Hassan district.
Dated: Hassan 8th March 93

From
The Deputy Commissioner
Hassan district.

To
The Chief Secretary
to Government of Mysore.

Sir,

In reply to the Dewan's Official Memorandum No. 181 dated 25th October 92, forwarding for report a petition from Basavegowda of Ballur village in the Belur Taluk praying for the Patelship of the said village, I have the honor to submit herewith the entire vernacular proceedings connected with the case, ending with the Amildar's report No. $\frac{354}{1036}$ of the 1st instant and to state that it would appear from the above records that the present Patel's father Kullegowda and the petitioner's father Basavegowda were jointly doing the duties till 1874; when Basavegowda having died his son the petitioner succeeded to the office. This new nominee and the old Kullegowda were jointly continued to do duties till Bahudhanya (1878-79) when the Survey department settled the remuneration payable to the Patels. The petitioner took the Potige in Amount for the first year and Kullegowda got it for the second year. This led to a complaint by the petitioner and the result of the investigation was the appointment of Kullegowda by Colonel Cole

2 in the village.

The petitioner kept quiet with the above order of Government for about 7 years, and when his opponent Mallegowda died in April '93 and his eldest son Chinnabasavegowda was recommended for the vacant post the petitioner had again a chance of getting the post, but the result of enquiry again set afoot on the matter was in favor of Chennabasavegowda the son of the deceased Mallegowda. (Vide this Office order No 270 dated 3rd July '93). This led the petitioner again to prefer an appeal to Government.

The enclosures of your Office memo under reply together with

31

Barabandi Register and Istiji Register are herewith submitted.

I have the honour to be

Sir

Your most obedient servant,

~~For Dy Commissioner~~

Hazara district.

22

Before the Government of *His Highness* the Maharaja of Mysore.

Misc. ~~Appeal~~ No. 676 of 1892

Appellant.	**Vs.**	**Respondent.**
Basava Gowda of Salluru, taluk [illegible], Hassan district, represented by Mr. B. S. Ramaswami Iyengar, advocate.		Chennabasava Gowda, represented by Mr. S. Narain Rao, advocate.

Decision. [illegible] 26th February 1894

According to the records of 18[illegible], the father of the Appellant and the father of the Respondent, who were unconnected with each other, were Patails. On the ground that there could be only one Patail for the village, Respondent was appointed sole Patail of the village in 1882, Appellant then brought a regular suit for the office, and it was dismissed, and the dismissal was confirmed by the Government on appeal in 1891. The father of the Respondent died in 1890, and the appointment was conferred on Respondent in Aug. '89, notwithstanding that the Appellant claimed the office. The appeal is against this order.

The Deputy Commissioner will be requested to dispose of the case under ~~no 1000~~ Government Proceedings dated 3rd January 1894, No $\frac{10267-75}{R.\ 1055}$.

By order

1/3

For Chief Secretary

Regy.

2/3/94

No. $\frac{1481}{Petn.\ 181-92}$ Dt. 4-3-94 / 8.

Copy forwarded to the Deputy Commissioner Hassan District with proceedings received with No. 911 d/ 13th March 1893.

4/3/94

By order

1/3

For Chief Secretary

1/3

No. 896 [illegible] 34 [illegible]

8-3-94

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,
4th March
7 ~~26th July~~ 1894

Endorsement granted to Basavane Gowda of Ballur, Belur Taluk (by Mr. M. Annaswami City Advocate).

in reply to his Petition Registered No. 696 dated - May 1892. appealing against the order of the Deputy Commissioner Hassan District No. 270 d 3rd July 1891

Petitioner is i~~nformed that~~ referred to the Deputy Commissioner Hassan District to whom orders have been issued.

The enclosures are returned

"By Order"

6/3

for Chief Secretary.

Re draft

7/3

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.

[illegible] 1880 [illegible]

3 [illegible]

4 [illegible] 1890 [illegible]

5 [illegible]

6 [illegible]

7 [illegible] 1870 [illegible] 19 [illegible]

8 [illegible]

9 [illegible]

26. 5. 92 13

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. No. 696
DATE 3-6-92

LR 158-91-3

[illegible]

as sole Patel under the late Chief Commissioner's orders directing that there should be only one Patel for each village. In the year 1880, the petitioner protested against this order and Colonel Hill, in his endorsement dated 20th December 1880 referred the petitioner to a regular suit. The petitioner accordingly filed a suit in this Court and the decision arrived at by Mr Krishna Murti, the then Deputy Commissioner, was that he saw no reason to interfere in the matter as both parties had equal in degree of right to the office and as such Colonel Hill gave better preference to Mullegowda in selection to the office &c

Dissatisfied with this decision

The petitioner preferred an appeal to Government in 1881, who perusing the records and report submitted from this office, were pleased to order in their proceedings No 7187/423 dated 8th December 81 that the existing arrangement should be confirmed on the view expressed in this office report stating that Imulleygonda and the petitioner had equal claims to the office that in regard to their status and other circumstances, they were on the same footing of equality but that the village being small both in regard to population and assessment the necessity for two Patels did not exist and that the appointment of one of them as honorary Patel might give rise to disputes

in